

**To:** StClair, Christie[StClair.Christie@epa.gov]; Harrison, Melissa[Harrison.Melissa@epa.gov]; CNinde@sjbhd.org[CNinde@sjbhd.org]  
**Cc:** Mylott, Richard[Mylott.Richard@epa.gov]  
**From:** Senn, John  
**Sent:** Thur 8/13/2015 2:37:54 PM  
**Subject:** Re: Q's in search of A's

This looks great--awesome work, Rich. We are going to prioritize working on this today--Rich, are you going to still be the point person on this in the command center? If so, let's chat so we can efficiently divide and conquer on these.

thanks,  
John

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From: StClair, Christie  
Sent: Wednesday, August 12, 2015 11:15 PM  
To: Harrison, Melissa; CNinde@sjbhd.org  
Cc: Mylott, Richard; EOC Public Information; StClair, Christie  
Subject: Q's in search of A's

Melissa and Claire, here are the items we've gathered that we need answers on. For simplicity I'm including a bunch of things in this one email:

- getting reporters better access and info
- Q&As we need to get answered, vetted and then pre-approved so we can quickly respond to incoming requests (we've drafted answers for some items already)
- Q&As for Fact Sheets (will also be used as needed for media requests)
- Current media requests we need answered

Rich and Jen/John - Rich kicked some serious butt on our Q's today. I can't tell you how truly grateful we are. If any of you have capacity to start drafting in answers - or can tap people who can - that would be hugely appreciated. Just respond to this thread so we don't duplicate work.

Gnight, everybody.

Christie

#### MEDIA HANDLING

1. One-on-one interview requests - Can we set up "call time" or a process for setting these up?
2. Behind the scenes access - (1) going out with work crews (2) JIC/UAC tours

#### Q&A's FOR FACT SHEETS AND MEDIA RESPONSES

How did this happen?

On August 5, an EPA team working to excavate material in a mine portal at the Gold King Mine triggered the release while excavating loose material that had collapsed into a mine entry. The excavation released pressurized water that was held above the mine tunnel, spilling about three million gallons of water into Cement Creek, a tributary of the Animas River. The EPA team was working to secure access and identify a way to reduce the flow of contaminated water from the mine into Cement Creek.

What is EPA doing to respond?

EPA has deployed a large response team to Durango and Silverton, Colorado and to several locations in New Mexico, Utah and the Navajo Reservation to coordinate with affected states, tribes and communities

on various response activities and to address impacts associated with the Gold King mine wastewater release.

EPA's primary objectives include working with federal, state, tribal and local authorities to make sure that people continue to have access to safe drinking water, ensure appropriate precautions are in place for recreational use and contact with river water, evaluate impacts to aquatic life and fish populations, and stop the flow of contaminated water into the watershed at the Gold King Mine site.

What are the health risks?

Based on the data we have seen so far, EPA and ATSDR do not anticipate adverse health effects from exposure to the metals detected in the river water samples from skin contact or incidental (unintentional) ingestion. Similarly, the risk of adverse effects to livestock that may have been exposed to metals detected in river water samples from ingestion or skin contact is low. We continue to evaluate water quality at locations impacted by the release.

Although the pH levels between Cement Creek and Durango (and lower, in San Juan as well) have returned to baseline levels, washing with soap and water after contact with the river water is always sound public health practice to minimize exposure to any metals and bacteria that may be present in untreated river water.

Why is it taking so long for EPA to release water quality data? Several other agencies/ entities have released data and have indicated that water is safe for recreational use? Why is EPA so slow?

EPA is working around the clock to collect and analyze water quality information to develop a comprehensive picture of water quality at various locations over time. This is a massive task and doing it right is critical to make sure we are doing all we can to develop the sound science that will inform recommendations and decisions that protect the public.

This is a time-consuming process. We are looking to develop and evaluate a full picture of the release event and water quality conditions before, during, and following the movement of the plume downstream, not just single samples or points of data taken in one place. EPA is sampling water at several locations in the Animas and San Juan Rivers for a suite of metals and contaminants. The lab work and quality assurance process for generating these data is extensive and designed to make sure we can have confidence in our results. This includes XX time for collection, transport, lab processing, data production, etc.. (fill in blanks on process). This effort is generating thousands of data points which must be analyzed by our scientists, placed in the context of other data collected, assessed for trends, and compared to risk screening levels that EPA uses to make sure public health is protected.

EPA also must evaluate the full set of data collected through the past few days and develop an understanding of the concentrations of metals that were deposited in sediments on the river bed and banks. This analysis will ensure that any recommendations about reopening drinking water intakes and reopening the river for recreational use are based on the science and the process we use to assess risk and ensure public health.

What do the data say? What's next? When will the river(s) reopen?

EPA is collecting and assessing water quality from the Animas and San Juan Rivers daily. Over the next days, we will be jointly evaluating data and information with partners to determine when access to the Animas River will be restored for activities and uses such as rafting, fishing, irrigation, and drinking water. We will do the same with our partners to evaluate the status of advisories and water intakes New Mexico and the Navajo Nation.

The water quality data we have analyzed thusfar is encouraging and points to minimal short term risks associated with the plume and a return to pre-event baseline conditions in the Animas River in Colorado. (Confirm downstream status—what do we know) In the San Juan near Farmington, data indicate the plume dissipated as it traveled downstream and samples show a smaller rise in acidity and metals levels in the river compared to the Animas. Further downstream, data suggest slight impacts as the plume dissipated and no leading edge was visible. While we are taking samples in Lake Powell near the San

Juan River inflow, we expect no adverse impacts to the Lake or other locations below the lake.

While this information is encouraging, we need to thoroughly evaluate the full set of data collected over the past few days and develop an understanding of metals levels in water and in sediment deposited in the river before making recommendations. EPA is working with our partners to review all data collected to develop a comprehensive picture of water quality conditions in the river and in the plume itself. This will ensure our decisions are based on sound science and provide confidence that use decisions are made based on EPA's health and risk criteria.

Our longer-term concern is the effect of metals deposited in sediments and their release during high-water events and from recreational use over time. These sediments may pose some risk, especially to aquatic life and fish. Because we have been working to assess impacts to water quality in the Animas and San Juan Rivers for several years, we have good information and data on background conditions in the rivers. EPA will use this information to assess long-term needs and evaluate our progress in restoring the waters impacted by the Gold King Mine release.

From a scientific perspective, what contaminants have been found and at what concentrations?  
Data are posted at XXX.

#### Drinking Water Systems/Intakes and Populations Served

How do I know if my drinking water is safe?

Intakes that supply water to drinking water treatment systems in the Animas and the San Juan Rivers remain closed and systems are using alternate sources to supply their customers.

EPA is also working to address any risks to domestic wells that draw from water sources fed by river water. EPA and others are working directly with those who have concerns about potential impacts to domestic wells. EPA will sample and secure alternate water for those affected.

Where, how many?

What are you doing to make sure people have clean water supplies in Navajo Country?

How many systems have been impacted by this incident?

Which specific systems have been impacted?

How many intakes at each of these systems have been shut down?

What is the population served for each of the impacted systems?

How many people use water from the Animas River for drinking water?

What about wildlife and fish?

The assessment of impacts to wildlife and fish populations is ongoing. To date we have seen no indication of widespread fish mortality in the Animas or San Juan Rivers. Fish cages placed directly in the Animas River by the State of Colorado Division of Parks and Wildlife for two days indicate one mortality out of 108 fish tested. (Any more fish info from Colo or NM or Navajo?) EPA is also working with the New Mexico Department of Game Fish and the U.S. Fish and Wildlife Service to investigate reports of impacts to wildlife. (did this yield any discoveries, response, etc.)

While this information is encouraging in terms of short term impacts to fish, we will be evaluating long term impacts associated with exposure to the plume and the impacts of deposited sediments over time. EPA will be working with the States of Colorado, New Mexico and the Navajo Nation to evaluate these and other ecological impacts as we move forward.

☐ There were no fish kills along the Animas River during the plume event. Biologists walked and

paddled the river looking for dead fish. There was also no evidence of scavenging by birds or other mammals.

- No effects were seen on terrestrial animals – ducks, mammals, etc. Ducks have been seen back on the river since Monday, Aug. 10.

- Colorado Parks and Wildlife biologists placed fingerling rainbow trout in the Animas River in Durango the afternoon of Aug. 6 before the mine-spill plume reached the city. 108 fish were placed at three separate locations in cages. Fingerlings were used because they are most sensitive to environmental changes. Only 1 fish died, but not due to water quality. The fish remained healthy throughout the event and afterwards. They were removed from the river on Aug. 11.

- After being removed from the river the fish were frozen and taken to Denver where they'll be tested for toxicity by the Colorado Department of Health and Environment. Scientists will be looking for deposits of metals in tissue and organs. Those results will not be known for at least two weeks.

- During the week of Aug. 24, CPW biologists will electro-fish the Animas River in Durango to check on populations of wild fish – sculpin, suckers, rainbow trout and brown trout. Some of those fish will also be sent to Denver for testing.

- The Animas River has been affected by acid-mine run-off for decades and that has been detrimental to fish populations for many years. CPW has seen a noticeable decline in the number of trout in the river for the last 10 years. There are very few fish found from Silverton to Baker's Bridge. The bridge is located about 10 miles north of Durango.

- CPW biologists will continue to monitor the river for the long term.

What are the impacts to agricultural users?

How many farms/producer operations are affected?

#### Discharge and Plume Status

Where is the leading edge of the plume?

As of Tuesday, there was no visible leading edge of the GKM plume in the lower San Juan River as it approached Lake Powell. We estimate that the water associated with the release reached Lake Powell sometime on Wednesday afternoon. While our ongoing evaluation of water quality sampling data will provide details about water quality in the San Juan as water associated with the release traveled downstream over the past few days, initial data indicate no/minimal/ small/ moderate changes in acidity levels in the River. Lake Powell is a large body of water and we expect no significant impacts to the Lake, the Colorado River, or any water bodies downstream.

Is contaminated water still being discharged from the mine? How much water is leaking from mine now, i.e., what is the current discharge rate?

Yes, discharge rates from the mine since the release have ranged between 400-800 gpm. A treatment system was constructed on August X and is capturing and treating the contaminated discharge by reducing acidity and removing metals. The system is discharging water with a ph of 5; background levels in Cement Creek are more acidic, with a ph of 3.5. (check #s) We expect the discharge from the mine will vary over time. Additional investigation will inform any next steps and help ensure that water continues to be treated before being discharged to Cement Creek.

Contaminated water was being discharged from the mine prior to the wastewater release on August 5 at a rate of about 200 cfs (Check numbers and convert to cfs or gpm equivalents). EPA was investigating that discharge to identify a way to stop or reduce the loading of contaminants to Cement Creek.

What is the total volume discharged to date?

The spill volume associated with the release on August 5 is 3M gallons.

#### Site History and Background

Is it true that EPA had been advocating that the Gold King Mine and the Upper Animas River be listed as a Superfund site and that local communities have resisted that designation? Would such a designation help prevent these types of incidents from occurring.

EPA takes full responsibility for the release that occurred on August 5. Superfund brings a unique set of

resources, tools and authorities to address large scale and challenging environmental cleanup sites. The water quality challenges posed by abandoned mines can be complex and often benefit from a comprehensive approach to investigation, planning and cleanup that the SF process entails.

Is there any precedent for this type of spill? Have there been any previous spills of this magnitude?

What is the scope of pollution from hard rock mines?

BLM AML website contains info on scope and scale. It is a widespread problem. EPA and federal, state, local and tribal partners have worked to successfully improve water quality concerns at hundreds of priority sites across the West.

Financial Claims and Accountability

Why does EPA's claims process require people to forego their ability to sue the Agency?

For what types of losses can I be compensated?

Details can be found here.

What is the process for filing a claim for financial compensation?

Please see the Claims fact sheet here.

Who pays for financial losses to private citizens, businesses, and communities?

How many claims has EPA received?

How much does EPA expect to pay out in claims?

What is EPA doing to make sure this doesn't happen again?

EPA has worked successfully to address environmental concerns at hundreds of abandoned mine sites across the West. We will thoroughly investigate this incident and are committed to applying all lessons learned to our work as we move forward.

While we continue to investigate the root causes of last week's release of mining waste at the Gold King Mine in Colorado, we are instructing our Regions to immediately cease any field investigation work at mines including tailings facilities, unless there is imminent risk in a specific case. We are in the process of initiating an independent assessment by a sister federal agency or another external entity to examine the factors that led to last week's incident. Based on the outcome from that assessment, we will determine what actions may be necessary to avoid similar incidents at other sites. While we stand down on existing field investigations and assessments at these mining sites, we also are instructing our Regions to identify existing sites with similarities to the Gold King Mine site and to identify any immediate threats and consider appropriate response actions."

Who, specifically, is responsible for the release?

An EPA Region 8 team was working at the site with a response contractor.

Will anyone be fired as a result of this incident? If so, who?

EPA and others will be thoroughly investigating the full facts regarding this incident and the response and will respond based on that information.

Well Water Concerns

- Is it safe to drink well water if you live hnear the river or have a ditch that was exposed to contaminated water near your well?
- Is it safe to use well water for laundry, dishwaters, etc?
- If the water is not safe, is there a place set up to take showers?

#### Health Concerns

- Should we be worried about air quality?
- Who should you contact if you are experiencing symptoms?

#### Irrigation and Livestock Concerns

- Where should people who live outside of CO call for water for their livestock?
- When will irrigation ditches be reopened and tested?

#### Recreation Concerns

- When will the river reopen?

#### Tourist Concerns

- Is it safe to visit Durango?
- Is it safe to shower in Durango hotels?

#### Testing questions

- When can we expect results from testing done last week?
- When will there be sediment testing?

#### Water Conservation Concerns

- When is it safe to water gardens and lawns?

#### Offers

- How can I volunteer to help?

#### Ecological Concerns

- How are wild animals getting water?
- How are the fish?
- How will we remove the sediment?

### MEDIA INQUIRIES

#### Statement on Navajo criticism?

I've been told by non-profit group Earth Work Action that the mine in Colorado where the leak occurred has been leaking acid mine drainage at a rate of about 50-250 gallons a minute for years, along with 3 other mines in the area. Is that your understanding?

The EPA contractors were attempting to put a pipe into the adit (mine opening) in order to collect the water and prevent it from continuing to pollute Cement Creek and the Animas River. Is that a correct characterization? I'd like to understand more about what happens during that process – what kind of equipment was used and why? What caused the leak? Was there a misjudgment of how much water had built up and the pressure?

Is it true that the EPA had wanted for years to designate the area a superfund site but received much opposition from community leaders? Can the EPA designate a site a superfund area without support from a community?

I'm also wondering if the type of mining pollution that was created by this particular mine is common with all mines.

Earth Work Action tells me that the price to clean up these sites has been estimated by the EPA at \$50 billion, and there is no steady funding source, leaving the EPA, states and local governments to cobble together resources for clean-up. Is that true?

The advocacy group also claims that 40% of the streams in the headwaters of western watersheds have been polluted by hardrock mining. Is that true? Is there more context needed here? Is there some amount of pollution that's allowable ie safe?

We are wondering if there is an updated number for the following statistic stated in the report: The Environmental Protection Agency (EPA) estimates that 40% of the headwaters of watersheds in the western United States are contaminated by pollution from hardrock mines.

Is there anyone inside the DC office available for an on-cam intv. hate saying on TV that nobody inside the entire EPA in DC will talk on cam.

On the general state of tailings dams and mines. How many such storage facilities are there across the country? How does the EPA monitor the maintenance and condition of mines and dams that are holding contaminated water? Are abandoned mines, like Gold King, monitored?

What is the EPA's assessment of the impact so far with regards to fish and wildlife and on drinking water.

When will the water hit Lake Powell?

Will this spill have an impact on drinking water and agricultural water for other states.

I am thinking this comes as a particularly bad time for California, which is already suffering water emergency. Is this toxic spill going to impact water supplies in California?

How long will it take to clean up?

Any impact on economy and drinking water supplies, if so for how many people?

A reporter from the Sacramento Valley Mirror, a weekly newspaper, is asking whether there are any plans to file any criminal charges in response to the "obviously criminal" Gold King Mine incident. I told him I knew of no such charges, but would seek additional info. Also, the reporter is asking whether similar incidents have prompted criminal charges in the past. A question for OECA?

Does EPA have an updated assessment of the amount of mine wastewater that was spilled into the Animas River on August 5? New reports are saying it is around 3 million gallons but is there any updated assessment showing which heavy metals might have been in the wastewater? Also, I need to know if an updated press release has been issued by EPA's regional administrator Shaun McGrath with more information about the Gold King Mine Spill. I seem to be finding only week-old information at this point. Finally, I was told there is a press call with media today with updates about the spill. How do I listen in on that call? I cannot seem to find anything on Region 8's website or the main EPA website about this.

Hope this finds you well. I am a health and environment reporter, currently working on a story for VICE News on the Colorado gold mine wastewater spill. I was wondering if it would be possible for you to connect me to someone at the EPA to talk about the spill, how it happened and what its consequences could be. A short telephone interview would be very helpful.

I'm wondering about the implications of the spill for the EPA under CERCLA. Will EPA be liable for the spill under CERCLA, or how does CERCLA come into play in this scenario?

Can I talk with someone about a few general questions about the issue of abandoned mines and acid mine drainage, and the impact on waterways, wildlife and public health.

Here are the main things we're looking for:--how many mines are currently on the National Priorities List? Can we get a list of those or is there a way to search on the Superfund website?

How many mines are currently on the National Priorities List? Can we get a list of those or is there a way

to search on the Superfund website?

Does the EPA have any estimate on total number of abandoned mines? (in the western US and/or nationwide, or whatever is available)

Is there a gauge of how often resistance to a Superfund designation by local officials has prevented a site's listing?

Specific to Gold King Mine:-was a preliminary assessment ever completed on the Gold King Mine or for a group of mines including Gold King?

It's my understanding that the EPA has said a water treatment plant estimated to cost \$12-\$17m (and \$1M a year to operate) would be able to clean the water in the Animas. Is that correct? And if so, is it the type of expense that Superfund would cover?

Is the mine still leaking or has it been plugged again?

Does the EPA have an estimate yet on the number of people affected by the spill?

Do you know what kind of fines a private company or other agency would face for spilling 3 million gallons of mine waste into a river? Would any sort of prison time be involved?

I'm hoping to get an update on the latest on the Animas River spill – where the plume is now, where it is going, whether it could potentially eventually have any kind of impact on Southern California, that sort of thing.

We have a correspondent and crew on the ground in Durango and in covering this story would like to request access to any sort of field operations you might have at the moment. Specifically looking to talk to someone who may be observing by air and would like to join them in this observation. Please let me know how I can help.

Could I please speak with someone ASAP about the Gold King mine spill. Hopefully, an employee on the scene might be able to walk me through the incident and provide some insight as to what the most crucial decisions and actions will be to mitigate the spill in the coming months.

I am also interested in engineering decisions and solutions that will be investigated or applied in the Gold King spill clean up and what is being done to address the larger problem of the many abandoned mines throughout the West.

In what capacity was EPA working when at the GKM site?

What is being done now to plug the leak?

Who was the main contractor or contractors working with EPA at the site?

Was this a disaster waiting to happen, regardless of EPA's actions?

Do we know yet why the spill occurred?

What about criticism that EPA did not inform state and local officials in Colorado, New Mexico and the Navajo Nation for nearly 24 hours after the breach happened?

And most important, what about criticism of a double-standard, that EPA would have reacted much stronger and more swiftly if such an accident had occurred under the watch of a private company?

The only thing I've seen conflicting reports on is WHERE the plume is now – Lake Powell? Or still in transit?